

gineer and his Secretary, and their salaries and duties; to prevent unjust discrimination and extortion in the rates charged for transportation of freight and passengers in this State, and to provide a mode of procedure in relation thereto."

Referred to Committee on Internal Improvements.

By Senator Woods:

"An act to amend article 178, chapter 4 of title 6, of the Penal Code, so as to prevent selling liquors on election day."

Referred to Judiciary Committee No. 2.

By Senator Bell:

"An act to amend article 685, title 8, chapter 5 of the Code of Criminal Procedure of the State of Texas."

Referred to Judiciary Committee No. 2.

"An act to amend title 10, chapter 1, of the Code of Criminal Procedure of the State of Texas by adding thereto articles 870a and 870b."

Referred to Judiciary Committee No. 2.

By Senator Terrell:

Joint resolution Amending section 3, of article 5, of the Constitution.

Referred to Committee on Constitutional Amendments.

By Senator Peacock:

A bill to be entitled "An act to amend article 617, chapter 2, Code Criminal Procedure."

"An act to further regulate attachments in county and justice courts."

Referred to Judiciary Committee No. 2.

Senator Kleberg offered the following:

Resolved, That the President of the Senate appoint a special committee of three Senators to arrange for appropriate memorial services of the late J. C. Buchanan, who died on the day of December, 1884, while a member of the Senate of the Eighteenth Legislature of Texas.

Adopted.

Senators Kleberg, Camp and Kilgore were appointed on the committee.

By Senator Davis:

Resolved, That the President of the Senate be requested to place the Senator from Lavaca on Judiciary Committee No. 2.

Adopted.

The President appointed Senator Woods as a member of Judiciary Committee No. 2.

On motion of Senator Traylor, Senate bill No. 50 was taken up out of the regular order of business.

On motion,

The rules were suspended and

The bill passed to its second reading by the following vote:

YEAS—24.

Bell,	Getzendaner,	Kleberg,
Calhoun,	Glascocck,	Knittle,
Camp,	Hall,	Peacock,
Davis,	Harrison,	Randolph,
Douglass,	Houston of Bexar,	Shannon,
Evans,	Houston of Wheeler,	Terrell,
Farrar,	Johnson,	Traylor,
Fowler,	Kilgore,	Woods.

NAYS—1.

Stinson.

ABSENT, NOT VOTING—3.

Garrison,

Jerdone,

Jones.

Bill read second time, and

Ordered engrossed.

Senator Traylor moved to suspend the rules and pass the bill to its third reading.

Carried by the following vote:

YEAS—25.

Bell,	Getzendaner,	Knittle,
Calhoun,	Glasscock,	Peacock,
Camp,	Hall,	Perry,
Davis,	Harrison,	Randolph,
Douglass,	Houston of Wheeler,	Shannon,
Evans,	Johnson,	Terrell,
Farrar,	Kilgore,	Traylor,
Fowler,	Kleberg,	Woods.
Garrison,		

NAYS—1.

Stinson.

The bill was read a third time and

Passed by the following vote:

YEAS—24.

Bell,	Garrison,	Kleberg,
Calhoun,	Getzendaner,	Peacock,
Camp,	Glasscock,	Perry,
Davis,	Hall,	Randolph,
Douglass,	Harrison,	Shannon,
Evans,	Houston of Wheeler,	Terrell,
Farrar,	Johnson,	Traylor,
Fowler,	Kilgore,	Woods.

NAYS—1.

Stinson.

Senator Kleberg offered the following resolution:

Resolved, That the President appoint a committee clerk to serve as general committee clerk.

Lost.

On motion of Senator Randolph

Senator Jerdone was excused indefinitely.

On motion of Senator Kleberg

Senator Jones was excused for the day.

On motion of Senator Farrar

The Senate adjourned till to-morrow morning at 10 o'clock.

## SEVENTH DAY.

SENATE CHAMBER,  
AUSTIN, TEXAS, January 20, 1885. }

The Senate met pursuant to adjournment.

Lieutenant-Governor Martin in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

On motion of Senator Shannon,

The reading of the journal of yesterday was dispensed with.

## REPORTS FROM STANDING COMMITTEES.

By Senator Kleberg:

COMMITTEE ROOM,  
AUSTIN, January 20, 1885.

Hon. Marion Martin, President of the Senate:

Your Committee on Stock and Stockraising, to whom was referred Senate bill No. 61, entitled "An act to protect stock-raisers, providing for the destruction of wolves, etc.," have had the same under consideration, and a majority of the committee instruct me to report the same back with the recommendation that it do pass.

KLEBERG, Chairman.

By Senator Traylor:

COMMITTEE ROOM,  
AUSTIN, January 19, 1885.

Hon. Marion Martin, President of the Senate:

SIR—Your Committee on Finance, to whom was referred Senate bill No. 77, entitled "An act to further regulate the collection of taxes on real estate, including lands heretofore bought by the State at delinquent tax sales," have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass.

All of which is respectfully submitted.

TRAYLOR, Chairman.

The President gave notice of the signing of Senate bill No. 13, "An act making an appropriation for the mileage and per diem pay of members and the per diem pay of officers and employees of the Nineteenth Legislature."

By Senator Traylor:

COMMITTEE ROOM,  
AUSTIN, January 19, 1885.

Hon. Marion Martin, President of the Senate:

SIR—Your Committee on Finance, to whom was referred Senate bill No. 49, entitled "An act making appropriations for deficiencies in the appropriations heretofore made for payment of expenses in support of the government up to February 23, 1885, being for the payment of claims registered in the Comptroller's Office in accordance with law, and for outstanding claims not registered, and other deficiencies," have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass.

All of which is respectfully submitted.

TRAYLOR, Chairman.

Senator Perry submitted the following majority and minority reports for Committee on Roads and Bridges.

COMMITTEE ROOM,  
AUSTIN, January 20, 1885.

Hon. Marion Martin, President of the Senate:

Your Committee on Roads and Bridges, to whom was referred Senate bill No. —, entitled "An act to amend article 4411 of the Revised Statutes of the State of Texas," have carefully examined the same, and a majority of said committee instruct me to report the same back to the Senate with the recommendation that it do not pass. The object of said bill is to increase the time now prescribed by law for working on the public roads, from five to ten days in each year. It is the opinion of the majority of your committee that the time now prescribed for that purpose is sufficient.

PERRY, Chairman.

COMMITTEE ROOM,  
AUSTIN, January 20, 1885.

Hon. Marion Martin, President of the Senate:

Your Committee on Roads and Bridges, to whom was referred Senate bill No. 23, entitled "An act to amend article 4411 of the Revised Statutes of the State of Texas," a majority of whom having reported back that the same do not pass, we herewith submit a minority report. We have carefully examined the same, and we report the same back with the recommendation that it do pass.

All of which is respectfully submitted.

R. H. HARRISON,  
JOHN WOODS,  
Minority.

By Senator Bell:

COMMITTEE ROOM,  
AUSTIN, January 19, 1885.

Hon. Marion Martin, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 12, being "An act to prescribe the times of holding district courts in the thirty-sixth judicial district of Texas," and find the same correctly engrossed.

BELL, Chairman.

COMMITTEE ROOM,  
AUSTIN, January 20, 1885.

Hon. Marion Martin, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 50, being "An act making an appropriation to defray the contingent expenses of the Nineteenth Legislature," and find the same correctly engrossed.

BELL, Chairman.

Senator Houston of Bexar, for Judiciary Committee No. 1, made the following reports:

COMMITTEE ROOM,  
AUSTIN, January 20, 1885.

Hon. Marion Martin, President of the Senate:

Your committee to whom was referred Senate bill No. 19, entitled a bill to be entitled "An act to amend and carry into effect article 4170 of the Revised Statutes of Texas," and

Senate bill No. 18, entitled a bill to be entitled "An act to amend and carry into effect article 4238 of the Revised Statutes of the State of Texas,"

Having considered the same, beg leave to report the same to the Senate and recommend that they be referred to the Committee on Internal Improvements.

Respectfully submitted.

HOUSTON of Bexar, Chairman.

COMMITTEE ROOM,  
AUSTIN, January 20, 1885.

Hon. Marion Martin, President of the Senate:

Your committee to whom was referred Senate bill No. 10, entitled a bill to be entitled "An act to amend article 4, title 2, of the Revised Statutes of Texas," having considered the same, beg leave to report it to the Senate with the recommendation that it do not pass, for the reason that the present law on the subject is sufficient.

Respectfully submitted.

HOUSTON of Bexar, Chairman.

COMMITTEE ROOM,  
AUSTIN, January 20, 1885.

Hon. Marion Martin, President of the Senate:

Your Committee to whom was referred Senate bill No. 33, entitled a bill to be entitled "An act to fix the venue of suits for the wrongful or malicious suing out of attachments," beg leave to report that they have considered the same and report it back with the recommendation that it pass.

Respectfully submitted.

HOUSTON of Bexar, Chairman.

Senator Houston of Bexar, for Judiciary Committee No. 1, submitted the following reports:

COMMITTEE ROOM,  
AUSTIN, January 20, 1885.

Hon. Marion Martin, President of the Senate:

Your Committee to whom was referred Senate bill No. 31, entitled "An act to regulate reservations in sales of personal property," beg leave to report that they have considered the same, and recommend that it do pass.

Respectfully submitted.

HOUSTON of Bexar, Chairman.

COMMITTEE ROOM,  
AUSTIN, January 20, 1885.

Hon. Marion Martin, President of the Senate:

Your Committee to whom was referred Senate bill No. 32, entitled "An act to further regulate the waiver of service and the confession of judgments in civil suits," having considered the same, beg leave to report it back to the Senate with amendments herewith, and recommend that it do pass as amended.

COMMITTEE AMENDMENT NO. 1.

Strike out the word "pretended," in section one.

COMMITTEE AMENDMENT NO. 2.

Add to section 2 the words: "Or be so construed as to invalidate any power of attorney to waive service or confess judgment given after the institution of suit."

Respectfully submitted.

HOUSTON of Bexar, Chairman.

(Senator Traylor in the chair.)

Senator Shannon introduced the following resolution:

WHEREAS, Hon. Marion Martin, the retiring Lieutenant-Governor of the State of Texas, has made a faithful, efficient and impartial presiding officer and public servant, and has, in his relations both public and in his private intercourse with Senators, exhibited in a high degree those qualities of mind and heart which challenge the respect and admiration of his associates and endeared him to all, and

Whereas, we desire to give public expression of these, our views and feelings, in an appropriate manner; therefore, be it

Resolved by the Senate of the State of Texas, That Hon. Marion Martin, retiring Lieutenant-Governor of the State of Texas, has made a faithful and efficient officer, and that he carries with him, in retirement, our high appreciation of his exalted ability and worth as a gentleman and officer, and our best wishes for his future prosperity, happiness and continued usefulness.

Senator Shannon moved the adoption, by aye and nay vote, of the resolution.

Adopted unanimously as follows:

YEAS—28.

Bell,	Hall,	Peacock,
Calhoun,	Harrison,	Perry,
Camp,	Houston of Bexar,	Pfeuffer,
Davis,	Houston of Wheeler,	Randolph,
Evans,	Johnson,	Shannon,
Farrar,	Jones,	Stinson,
Fowler,	Kilgore,	Terrell,
Garrison,	Kieberg,	Traylor,
Getzendaner,	Knittle,	Woods.
Glasscock,		

NAYS—none.

Senator Houston of Bexar, by leave, submitted the following reports for Judiciary Committee No. 1.

COMMITTEE ROOM.  
AUSTIN, January 20, 1885.

Hon. Marion Martin, President of the Senate:

SIR—Your committee to whom was referred Senate bill No. 8, to be entitled "An act to amend chapter 2, article 566 of the Revised Civil Statutes, and to prohibit the formation and chartering of corporations for the purpose of purchasing, locating or subdividing lands and conveyance of the same," having considered the same, beg leave to report it to the Senate with amendments herewith, with the recommendation that it do pass as amended.

Respectfully submitted.

HOUSTON of Bexar, Chairman.

#### COMMITTEE AMENDMENT NO. 1.

After subdivision six, insert "Seven. For the purchase, subdivision and sale of land in cities, towns and villages," and number following subdivisions accordingly.

#### COMMITTEE AMENDMENT NO. 2.

Add to subdivision 18 the words "in cities, towns and villages."

#### COMMITTEE AMENDMENT NO. 3.

Strike out subdivision 26 and provisos.

COMMITTEE ROOM.  
AUSTIN, January 20, 1885.

Hon. Marion Martin, President of the Senate:

Your Committee to whom was referred Senate bill No. 17, entitled a bill to be entitled "An act to give orders of sale foreclosing liens upon land," the force and effect of writs of possession," beg leave to report the same, back to the Senate with the recommendation that it pass.

Respectfully submitted.

HOUSTON of Bexar, Chairman.

COMMITTEE ROOM.  
AUSTIN, January 20, 1885.

Hon. Marion Martin, President of the Senate:

Your Committee to whom was referred Senate bill No. 59, entitled a bill entitled "An act to provide for the registration

of writs of attachment which have been levied upon land, in the office of the county clerk of the the county where such land is situate."

Also Senate bill No. 62 entitled "An act to amend articles 1801, 1802, 1823, 1867, 1921, 1923, 1924, 1932, 1934, 1944, 1949, 1964, 1973, 1974, 1978, 2023, 2041, 2056, 2057, 2067, 2068, 2070, 2071, 2072, 2081 and 2182 of the Revised Statutes of Texas;"

Also Senate bill No. 66 entitled a bill to be entitled "An act to amend articles 2170, 2171, 2172, 2173, 2176, 2178 and 2179 of the Civil Statutes of Texas;"

Also Senate bill No. 68, entitled a bill entitled "An act to regulate assignments for the benefit of creditors, and to repeal the assignment act of the Sixteenth Legislature, approved March 24, 1879, and the amendments thereto passed by the Eighteenth Legislature and approved April 7, 1883;"

Also Senate bill No. 69, entitled "An act establishing a reformatory farm for the confinement, reform and utilization of convicts under the age of eighteen years;"

Also Senate bill No. 75, entitled "An act to amend articles 2489, 2490, 2493, 2505, 2506, 2550, 2557, 2562, 2563, 2565, 2566, 2574, 2575, 2611, 2614, 2632, 2649 and 2677 of the Revised Statutes of Texas;"

Beg leave to report the same back to the Senate, with the request that fifty copies of each be printed for the use of the committee.

Respectfully submitted.

HOUSTON of Bexar, Chairman.

On motion of Senator Houston of Bexar,

The report was adopted as to the printing of the bills.

#### BILLS AND RESOLUTIONS.

By Senator Calhoun:

"An act to amend chapter 4 of title 7 of the Code of Criminal Procedure of the State of Texas, by adding article 451a immediately after article 451, for the purpose of specifying what notice shall be given before amendment of scire facias proceedings is made."

Referred to Judiciary Committee No. 2.

By Senator Johnson:

A bill to amend article 3031 of the Revised Civil Statutes of Texas."

Referred to Judiciary Committee No. 2.

"An act to repeal articles 3051, 3052 and 3053 and to amend article 3055 of the Revised Civil Statutes of Texas."

Referred to Judiciary Committee No. 2.

By Senator Hall:

A bill, "An act to provide the manner of serving citations on foreign corporations doing business within this State."

Referred to Judiciary Committee No. 1.

By Senator Perry:

"An act to require the record of official bonds and other bonds or contracts in which the State of Texas or any county is interested."

Referred to Judiciary Committee No. 1.

By Senator Getzendaner:

"An act to amend article 685 of the Code of Criminal Procedure."

Referred to Judiciary Committee No. 2.

A bill, "An act to amend articles 749 and 750 of the Code of Criminal Procedure."

Referred to Judiciary Committee No. 2.

By Senator Randolph:

A bill, "An act to punish for deer hunting by fire light at night time."

Referred to Judiciary Committee No. 2.

The following resolution was offered by Senator Pfeuffer, and was adopted:

Resolved, That the Committee on Education be and the same is hereby requested to make a full inspection into the condi-

tion, affairs and wants of the State University, with authority to send for persons and papers, and report as soon as practicable by bill or otherwise.

By Senator Garrison:

A bill, "An act amending chapter 3, article 816 of the Penal Code of the State of Texas."

Referred to Judiciary Committee No. 2.

Senator Jones offered the following resolution:

Resolved, That the Sergeant-at-Arms of the Senate furnish each member of the Senate with a paper file.

Adopted.

By Senator Calhoun:

"An act to amend article 1828 of the Revised Civil Statutes of the State of Texas."

Referred to Judiciary Committee No. 1.

A message was received from the House announcing the passage of joint resolution providing for the appointment of three members of each body as a committee on inaugural ceremonies, and announcing the appointment on the part of the House, Representatives Upton, Haynes and Taylor.

On motion of Senator Traylor, the resolution was adopted, and the President-appointed Senators Traylor, Houston of Bexar, and Bell.

The following communication was received and read:

AUSTIN, TEXAS, January 17, 1885.

Hon. Marion Martin, Lieutenant-Governor and President of the Senate of Texas:

SIR—I have the honor of extending to you, and through you to the Senate of Texas, now in Legislature assembled, a cordial invitation to be present at, and participate in the interesting and important ceremonies of laying the corner stone of the new Capitol of Texas on the second day of March, 1885, the forty-ninth anniversary of the Declaration of Texan Independence.

I will be pleased to be advised if the honorable body over which you preside shall take any order in the premises.

By direction of the Committee of Invitation.

J. A. HOOPER,  
Chairman

WILL LAMBERT,  
Secretary Executive Committee.

By leave,

Senator Houston of Bexar made the following reports:

COMMITTEE ROOM,  
AUSTIN, January 20, 1885.

Hon. Marion Martin, President of the Senate:

Your committee to whom was referred Senate bill No. 35, entitled a bill entitled "An act to amend article 3602, chapter 15 of the General Laws of Texas, passed by the Called session of the Seventeenth Legislature, approved May 4, A. D. 1882, relating to the hiring of county convicts," beg leave to report the same, with amendment herewith, and recommend that it pass as amended.

Respectfully submitted.

HOUSTON of Bexar, Chairman.

#### COMMITTEE AMENDMENT.

Add the words "and provided further, that no convict shall be required to serve for a longer term than two years to satisfy any one judgment of conviction."

COMMITTEE ROOM,  
AUSTIN, January 20, 1885.

Hon. Marion Martin, President of the Senate:

Your committee to whom was referred Senate bill No. 88, entitled "An act to further regulate attachments in county and justices' courts," have considered the same, and a majority of the committee have instructed me to report the same to the Senate with the recommendation that it do pass.

Respectfully submitted.

HOUSTON of Bexar, Chairman.

Senator Peacock, for Committee on Public Lands, submitted the following report, by leave:

COMMITTEE ROOM,  
AUSTIN, January 20, 1885.

Hon. Marion Martin, President of the Senate:

Your Committee on Public Lands, to whom was referred Senate bill No. 7, entitled "An act to provide for the sale of all lands heretofore set apart for the Common School, University, Blind, Deaf and Dumb, Lunatic and Orphan Asylum funds of the State of Texas, and to repeal all laws in conflict therewith, have carefully examined the same, and instruct me to report the same back with the recommendation that fifty copies of said bill be printed for the use of the committee.

All of which is respectfully submitted.

PEACOCK, Chairman.

On motion,

The report was adopted.

(Senator Traylor in the chair.)

Senate bill No. 1, "An act to amend article 549, title 15, chapter 11, of the Penal Code," was taken up in its regular order,

Read second time and ordered engrossed.

Senate bill No. 2, "An act to amend article 496, chapter 2, title 19, of the Penal Code," was taken up in its regular order, and,

On motion of Senator Davis action on the bill was postponed, and

The bill together with the majority and minority reports of the committee were ordered printed.

On motion of Senator Houston of Wheeler,

One hundred copies of the correct lists of the standing committees be printed.

(President *pro tem.* in the chair.)

The following communication, with accompanying resolution, addressed to the Speaker of the House, was read by the Secretary:

AUSTIN, January 18, 1885.

Hon. L. L. Foster, Speaker House of Representatives:

SIR—I have the honor herewith to hand you certified copy of a resolution adopted by the Texas Live Stock Association, at its recent session in this city. Respectfully requesting that you will lay the same before the honorable House of Representatives,

I am very respectfully,

Your obedient servant,

WILL LAMBERT,  
Secretary Texas Live Stock Association.

Resolved, That we, the members of the Texas Live Stock Association, now in session in the city of Austin, respectfully ask of the Nineteenth Legislature of the State of Texas the passage of a joint resolution instructing our Senators, and requesting our Representatives in Congress from this State, to co-operate with Hon. Columbus Upson in his effort to secure, at the hands of the United States Congress, the establishment of a national cattle trail for the outlet of Texas cattle.

I certify that the above resolution was adopted by the Texas Live Stock Association, at its session in this city, Friday, January 15, 1885.

WILL LAMBERT,  
Secretary.

AUSTIN, January 18, 1885.

Referred to Committee on Federal Relations.

Senator Glasscock introduced a bill entitled "An act to amend articles 1024 and 1025, chapter 4, title 26 of the Revised Statutes."

Referred to Judiciary Committee No. 1.

The President laid before the Senate,

Senate bill No. 16, "An act to amend article 441 of the Code of Criminal Procedure."

Bill taken up.

Read second time and ordered engrossed.

Senate bill No. 22, entitled "An act to amend ar-

title 722, chapter 8, title 17 of the Penal Code of the State of Texas," was taken up in its regular order and

Read second time.

The first committee amendment was adopted.

The second committee amendment was adopted, and

The bill was ordered engrossed.

Senate bill No. 26, "An act to amend article 339, chapter 4, title 10 of the Penal Code," was taken up in its regular order.

Read second time and ordered engrossed.

Senate bill No. 34, "An act to amend articles 730 and 731 of the Code of Criminal Procedure," was taken up in its regular order and

Read second time.

On motion of Senator Davis,

The pending bill was postponed till to-morrow.

Senator Traylor, chairman of Senate committee appointed to inform the Governor and Lieutenant-Governor of the result of the count of the late election, submitted the following report:

Hon. Marion Martin, President of the Senate, and Hon. L. L. Foster, Speaker of the House of Representatives:

The joint committee of the Senate and House, appointed for the purpose of communicating to the Governor and Lieutenant-Governor the result of the recent election, beg leave to submit the following report:

1. That they have informed the Governor and Lieutenant-Governor of their election by handing them a copy of the journal of the joint session of the Senate and House, held for the purpose of counting the vote, and containing full election returns.

2. That a joint session of the Senate and House will be held to-day at 12 o'clock m., in Representative Hall, for the purpose of conducting the inaugural ceremonies, and that the oath of office will be administered to the Governor and Lieutenant-Governor by A. M. Jackson, Esq., notary public.

TRAYLOR,  
HOUSTON of Bexar,  
BELL,  
Senate Committee.  
UPTON,  
HAYNES,  
TAYLOR,  
House Committee.

Adopted.

On motion of Senator Jones,

The Senate took a recess subject to the call of the President.

(The President in the chair.)

The Senate called to order.

A message was received from the House, that that body had adopted the report of the joint committee of the two houses arranging the inaugural ceremonies of the Governor and Lieutenant-Governor.

Senator Fowler, chairman of Committee on Enrolled Bills, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, January 20, 1885.

Hon. Marion Martin, President of the Senate:

SIR—Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 13, being "An act making an appropriation for the mileage and per diem pay of the members, and the per diem pay of the officers and employees of the Nineteenth Legislature, and find the same correctly enrolled, and have this day, at 11:50 o'clock a. m., presented the same to the Governor for his approval.

FOWLER, Chairman.

A message was received from the House announcing that body was in readiness to receive the Senate

for the purpose of installing the Governor and Lieutenant-Governor.

On motion of Senator Terrell,

The Senators repaired to the hall of the House of Representatives to participate in the inaugural ceremonies of Governor and Lieutenant-Governor.

#### IN JOINT SESSION.

Senate roll called.

Quorum present.

House roll called.

Quorum present.

The President of the Senate, on the part of the Senate, appointed Senator Terrell, and the Speaker on the part of the House appointed Representatives Upton and McKinney as a joint committee to wait upon the Governor and Lieutenant-Governor elect and inform them that the Legislature was in joint session and ready to receive them.

The Speaker of the House then introduced Hon. John Ireland, the present Governor as well as the Governor elect, who after taking the oath of office, administered by A. M. Jackson, jr., Esq., delivered the following inaugural address:

I have repeated to day the oath of fidelity to the Constitution, and by implication to the people of the State, that I took two years ago. I then expressed some apprehension of my ability to give entire satisfaction to all the people. In taking the oath, I relied largely on the wisdom, patriotism and forbearance of my countrymen. In that trust I have not been mistaken or deceived. The generosity and zealous support extended to me by the two houses and the people has been thorough and full, to the extent, indeed, of filling me with gratitude and cementing my devoting to the best interest of the commonwealth.

True, I have not pleased all. I have not had public gifts in my keeping for all who have sought them—for self or friends. Sometimes I have found myself between the arms of the selfish and their goal. I now declare that no act or deed of mine has been dictated or done with any other view or motive than the general good of the people.

No one could more fondly seek the aid and assistance of his friends than I have done; yet when I have heard all, being responsible myself to the people, I have acted on my own judgment.

The stumbling block in the paths of our race, often as public servants and as private individuals, is the rugged boulder of self-interest. Just to the extent that we can divest ourselves of that, in the same ratio will our acts be promotive of public good, and satisfactory to ourselves. If I, in a public capacity, find myself constantly trimming sail, or a member of either house is beset as a legislator, with consideration, self-imposed or thrust upon him, of private ends, our actions will be unsatisfactory and detrimental to the public service. When our public service is ended, if we can take a retrospect and feel that we have done our whole duty to the people and our country, we may well be satisfied.

With reasonable legislation our country will continue to grow and prosper. The border will continue to recede, our new counties will continue to organize, the six-shooter and the Spencer rifle will disappear, and the people will be able to elect a local government that will afford protection to life and property without having to appeal to a central power to do that for which local officers are created. I feel sure that in the two houses will be found earnest public servants, and that when differences spring up they will be the result of honest motives. We want stability in our laws and form of government, and it is much better to conform to an awkward or improvident law, than to be constantly changing our system. We cannot have perfection, and legislators often deserve well of their country by opposing constant changes. When a few leading subjects have been disposed of, we always feel that we are ready to quit at any day. Whatever is done should tend towards requiring every person to let every other person alone in the enjoyment of what is his; to lessen the burdens of the people in the way of taxes, to afford speedy redress in the courts for wrongs; and finally, to leave the people free from

any governmental control or supervision, except so far as may be necessary to accomplish the few great ends pointed out.

Since my late message to the two houses was penned, the knowledge has reached me of the perpetration of a series of horrible crimes, murders and thefts on Texas soil by incursions of predatory bands from Mexico.

Since it has become known that neither Mexico nor the United States will surrender one of their own citizens to be taken to the other government to be tried for crime, the people on the right bank of the Rio Grande have become emboldened, and they stand on Mexican soil covered with the blood of our women and children and their booty in sight of our people.

I have made repeated efforts, through the Secretary of State, to induce a discussion of the propriety of so amending the treaty of 1861 as to permit any one, no matter where his allegiance may be, to be extradited, but no results have followed. Commercial treaties and money affairs seem to be of more importance than the blood of our people.

In the last few days I have written to the President, giving him full accounts of the condition of affairs on the Rio Grande, and have also informed him that Texas can, if need be, protect herself, and minute companies and State troops on that border have been directed to protect our people without deference to nice points of international law. If the Federal troops, whose duty it is under the Constitution, are too tender to patrol that border, or if a few companies in the interior to make a show at dress parade are of more importance, it would seem that their presence on our soil is of but little practical use.

These remarks are not intended as a criticism of the commanding officers in Texas, but of the general management of the War Department.

It has been suggested that the members of the two houses may wish to visit the Cotton Exposition before final adjournment. If this conclusion is reached, I hope the adjournment will be without pay to either members or employees. If this mode is adopted, it would doubtless be satisfactory to the country. By a concurrent resolution the two houses may adjourn for fourteen days.

The Speaker then introduced the Hon. Barnett Gibbs, Lieutenant-Governor elect, who, after taking the oath of office, administered by A. M. Jackson, jr., Esq., delivered the following inaugural address:

Fellow-citizens and members of the Texas Legislature:

To-day I assume the duties of Lieutenant-Governor, to which office I have been chosen by the people and into which I have been inducted by their representatives. I hardly think it necessary to do more than renew to you those pledges of fidelity which every man elected to office should make and redeem. My official relations will be principally with the Senate, but I cannot in this joint session refrain from expressing the hope that the two houses will work harmoniously, and that the result of their joint labors will redound to the greater prosperity and contentment of their people.

Individual ambitions and the ambitions of either house to deserve most of the country, should rather promote harmony than discord, for we will, one and all, be judged rather by final results than by individual efforts.

It is the effect of legislation upon the social and industrial condition of the people that they look to in estimating the value of services rendered by their representatives.

This is the true measure, for theories of government, and spasmodic efforts at reform are worth nothing unless they have sufficient merit to receive the approval of a majority, and thus produce practical results.

So far as the general political condition of the State is concerned, no people could be more content than are the people of Texas.

There are no general issues to be settled by this Legislature, as the people are practically a unit in the approval of the liberal policies that have been inaugurated and perfected by successive Democratic administrations. In spite of this condition of things, for which we have every reason to be thankful, there remains for this Legislature much labor requiring wisdom and patience for its proper performance.

The success of all measures depend upon the proper arrangement and observance of details, and this is especially true of political measures, where the motives for strict performance of duty is not so great, and the inspection not so thorough and frequent as in private affairs. While statutes should be simplified as far as possible, and changed only when the necessity

was obvious, yet in their enactment care should be taken not to leave too much in the discretion of executive officers; neither will the people justify the delegation on our part to executive boards those legislative powers and duties which are lodged by the Constitution in our respective bodies.

A careful study of our system of government must have convinced the most of you, that after all, the legislative department is the great seat of power and responsibility. It is this department which is primarily responsible for all failures in the administration of government.

Our Constitution was framed with the intention of making all other departments of the government mere machines, to be constructed and oiled by the representatives of the people.

I would not refer to this matter had I not learned from recent observations that the people disapprove of the delegation made in more than one instance of legislative powers to executive departments. These extra constitutional prerogatives and duties have rather been thrust upon than sought by our executive department, but what is now an unwilling and slight encroachment on their part might, by lapse of time and strengthened by precedent, become a cherished claim.

It is a very easy matter for public opinion, as expressed by representatives or through the press of the country, to formulate a general policy as to the management of the penitentiary system or any other important department of the government.

When it comes to laying a permanent foundation for the profitable employment of nearly three thousand convicts, rapidly increasing in numbers, it will require a careful study of your two houses to meet the emergency, for this is no longer a political question, but a practical business question, to be settled on sound business principles.

We may say amen to the declaration in favor of putting the convicts in the walls, yet it does not alter the cold fact that we have not walls for more than one-half the convicts; we may flippantly say take the convicts and build walls; yet the truth must be confessed that we have already built penitentiaries at great cost, which are so far away from commercial centers and so much at the mercy of private railroad corporations, that they are practically useless, except as dungeons. The present unjust and shiftless policy of working the convicts on railroads for hire may be for a while a quasi financial success, but leaves the future unprovided for, and the day the railroads cease to employ them, they must go into camp and a life of idleness. Such a condition of things would require a called session.

Public opinion has declared in favor of a liberal school system, and has enforced its views, yet it is left to the legislative judgment to perfect the details, so that there shall be proper supervision without unnecessary extravagance, so that the teacher shall be well and surely paid for his services, and at the same time shall be compelled to faithfully render those services.

Public opinion has declared in a general way in favor of a revenue from the school land, yet it has been left to the legislative judgment to declare how this demand can best be complied with, and at the same time justice done to those sections in which the lands are located.

The people have declared in a general way in favor of an economical administration of the State government, but they have left it to you to say how far this economy is consistent with an efficient administration. After all it is upon your wisdom, as manifested in legislative details, that the success of administration depends. Our constituents don't expect us to run the government of a great State like Texas, either on talk or a small amount of money; they expect the proper protection of life, liberty and property, whatever the expense may be, but they will not willingly tolerate the creation or continuance of any department or annual expenditures to perform functions which each citizen can best perform for himself.

The people expect of us a guardianship of the deaf and dumb and of the blind and insane, and other unfortunates, but no guardianship of themselves to the extent of furnishing them fish for their tables, or rules for the management of their individual business.

The people don't expect us by legislation to add anything to their substance, but only ask that you take from it only so much as is necessary to the proper performance of the ordinary and legitimate functions of government.

It is the province of government, and the commercial interests of the State look to us for regulations that will protect the strong against the weak; for legislation that will protect the honest debtor against harsh and unscrupulous creditors, and that will protect all creditors from the fraud of debtors, and their collusion with one creditor to the detriment of others;



such regulations are not regarded by them as in restraint of trade or the exercise of individual discretion.

The many should be protected against the rapacity and accumulated powers of the few, but on the other hand their numbers will not justify the sacrifice even to the many of the individual rights of one citizen.

Justice is, or should be, the same under all circumstances, and while Texas is a great State with varied interests, I believe we can legislate for it as a unit, without injustice to any section; provided that we do not, in our anxiety each to benefit his own section, entirely overlook the reasonable demands of other sections. Economy in public affairs is of the utmost importance, as sufficient extravagance will creep in unawares; but, in our desire to make a good record in this respect, we should beware of temporary expedients which may result in a present reduction of taxes, only to pile up mountain high future difficulties.

Our land, penitentiary, educational and other systems should not be based on the one idea alone of reducing taxes, but the money necessarily expended, no matter how great the amount, and the policy pursued, should be with a view to permanency. It is better for the State that we expend a large amount of money in providing the necessary means of carrying on the government in a stable and respectable manner, than to spend one-half of this amount in carrying on the government in a "from hand to mouth style," having in the end nothing to show for the expenditures except the fact that we still survive.

In the earlier days of Texas, when the annual income, even with a high rate of taxation, was small, when the future of the State was uncertain, the representatives of the people were justified in neglecting many of the important duties of government, but things are changed in this respect.

We have a State so large and populous, and are increasing so rapidly in wealth and population, that we cannot do justice by it unless we lay a broad foundation in all governmental affairs.

Taking the last ten years as a basis, the next ten years in the life of our State will be marked by greater changes than fifty years in some of our older States. In legislating we should also remember that Texas to-day has varied commercial interests as important as our agricultural and stock interests, and due regard should be had for the fostering of these interests.

Many of us here to-day will live to see it a great manufacturing State, if experimental legislation does not make capital timid.

Every dollar spent in dodging the proper responsibilities of government is a dollar lost, and every reputation built up by pandering to the present, and disregarding the future, is a reputation at the mercy of that day of reckoning, which in politics comes early and often.

I have not assumed the right to make any suggestions as to necessary legislation, as this the prerogative of his Excellency the Governor, and the ground has been fully covered by him.

In the performance of my duties as presiding officer of the Senate, I consider myself as a member of the legislative department, and have spoken as such.

I feel certain that the relations between the two houses will be pleasant, and that the result of their labors will be profitable to the people.

If I have said more than the occasion justifies, you will no doubt excuse me, when you reflect that under the Constitution I am to a great extent a silent member of the Senate.

If I have said less than was expected of me, it is because I feel that the suggestions of his Excellency, and your own wisdom and experience are better guides than any suggestions I might make.

The Speaker then declared that the Hon. John Ireland and Hon. Barnett Gibbs were duly installed as Governor and Lieutenant-Governor of Texas.

It being then announced that the joint session was closed,

On motion of Senator Shannon,  
The Senate retired to its chamber.

#### IN SENATE.

Hon. Marion Martin, the retiring Lieutenant-Governor and President of the Senate, delivered the following valedictory address:

Gentlemen of the Senate:

My successor having taken the oath to perform the duties of Lieutenant-Governor of our State, my duties as your presiding officer have ended, and I now assume the duties and obligations of a private citizen, entitled to wear the crown of a sovereign. In a government like ours, it can do no harm to impress upon our minds that those who assume the duties and responsibilities of any office, however high and important, only becomes a servant and not a ruler of those who placed the trust in their hands.

In reviewing my acts as a servant of the people of our State, during a period of twenty-five years, I can only regret that I have not been able to serve them with more ability, and the benefits resulting from my acts have not been equal to my desires. But I can say, not only in your presence, but in the presence of Him who has prolonged my life, that every public act of my life has been directed to the good of the people and the prosperity of my State. My public life has been made pleasant from my association with men who would have been considered great men in any age of the world; men who aided in making our past history the pride of all men who love our State; men who assisted in laying the foundation of our present wealth and prosperity, and instilled in our minds bright hopes of a glorious future. Many of them have passed away, but their acts and deeds will endure forever. To have been associated with such men in their efforts to make Texas what she is to-day, would have been a sufficient reward for any service that I could possibly have rendered my State; but to have received such a unanimous endorsement, and approval of my public service, as expressed in your resolution, is certainly a reward that any man could well afford to have devoted the best days of his life to the service of his country to have received it.

The confidence and esteem of those we have been associated with in the discharge of responsible duties, is the highest reward that can be obtained upon earth, and the richest legacy we can leave our children, and gentlemen of the Senate, I do assure you that it will ever be my most zealous and unceasing effort to merit the continuance of your good opinion as expressed in your resolution, and shall carry it with me to my home, as the solace of advancing years. I now thank you for the cordial support you have ever given me as your presiding officer, and assure you that I shall never cease to rejoice in your individual welfare, and that you carry with you to the bosom of your family and friends, my best wishes for your future prosperity and happiness, and may you continue to enjoy not only the confidence of your constituents, but the confidence of all good men who desire the future prosperity of our great State.

I now present to my successor this gavel, made of timber, that grew upon my place, where I have resided for thirty years, assuring him of my confidence that he will ever use it with strict impartiality, and for the best interest of our State.

The incoming Lieutenant-Governor and President of the Senate on taking the chair addressed the Senate as follows:

Gentlemen of the Senate:

In entering upon the discharge of my duties as presiding officer of the Senate, in addition to what I have already said, I will only express the hope that our official relations will be as pleasant as have been my personal relations with the most of you. I assure you of my intentions to rule impartially and do whatever I can to expedite the business of the session.

My predecessor has presented me with a new and neat gavel and I hardly hope to wield it with as great satisfaction as he wielded the old one. If I turn it over to my successor considerably battered and worn, it will be your fault, not mine.

The Senate can now proceed to business.

On motion of Senator Houston of Bexar,  
The Senate adjourned until 10 a. m. to-morrow.

Immediately afterwards the Senators presented the retiring Lieutenant-Governor and President of the Senate, Hon. Marion Martin, with a fine gold-headed cane through the President *pro tem.* of the Senate, Hon. W. R. Shannon, who did so in a few appropriate remarks, and which were responded to by Lieutenant-Governor Martin in a very suitable and feeling manner.